

REMARKS

Claims 1 and 3-27 are all the claims pending in the application. By this Amendment, Applicant amends claim 21 to cure a minor typographical error and claim 22 to further clarify the invention. To provide more varied protection, Applicant adds claims 28 and 29, which are clearly supported throughout the specification.

Applicant thanks the Examiner for the courteous in person interview on March 25, 2007. An Examiner's Interview Summary Record (PTO-413) was given to the Applicant's Representative. The PTO-413 requires the Applicant to file a Statement of Substance of the Interview. The Statement of Substance of the Interview is as follows:

During the interview, claims 1, 11, 13, 21, and 26 were discussed in view of the prior art of record and claim 10 was discussed in view of the rejection under 35 U.S.C. § 112, first paragraph. The Examiner maintains the rejection under 35 U.S.C. § 112, first paragraph, alleging that further disclosure in the specification is required regarding how the software program is executed and stored (*see* original claim 6).

The Examiner appeared to agree that claim 1 overcomes the 35 U.S.C. § 103(a) rejection as being obvious over A. Lima et al., "Polarization Diversity and Equalization for PMD Mitigation in Optical Communication Systems", IEEE International Conference on Acoustics, Speech, and Signal Processing, May 13-17, 2002 (hereinafter "Lima") in view of U.S. Publication No. 2002/0012152 A1 to Agazzi et al. (hereinafter "Agazzi"). That is, Lima clearly fails to disclose or suggest "a splitting unit splitting the optical signal received by the receiver input into a number of parts such that said number corresponds to a number of diodes in the receiver." In Lima, the alleged filter (beam splitters) further split the signal such that each

branch has at least two diodes (Fig. 1). In Lima, there is no one to one correspondence between the number of branches and the number of diodes.

Furthermore, Applicant respectfully noted that an exemplary, non-limiting embodiment of the present invention discloses having different types of filtering performed on different branches. In other words, in an exemplary embodiment of the present invention, the signal is split so that different types of filtering processes can be performed. For example, one branch may apply spectral filtering to the part of the signal whereas another branch will apply a polarization filtering to that other part of the signal. Accordingly, more accurate signal to noise ratio is obtained by having this additional information. It will be appreciated that the foregoing remarks relate to the invention in a general sense, the remarks are not necessarily limitative of any claims and are intended only to help the Examiner better understand the distinguishing aspects of the claims discussed below.

Accordingly, Applicant's Representative respectfully noted that "different types of filtering" on various branches as set forth in claims 13 and 26 and "different optical filtering element on each branch" as set forth in claim 1 is not disclosed or suggested by the prior art of record. The Examiner indicated that claims 13 and 26 would require further search.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. **If any points remain in issue, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below to set up an Interview.**

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Nataliya Dvorson/
Nataliya Dvorson
Registration No. 56,616

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER

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